

Commission Regulation (EU) No 97/2010 of 4 February 2010 entering a name in the register of traditional specialities guaranteed [Pizza Napoletana (TSG)]

COMMISSION REGULATION (EU) No 97/2010

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialities guaranteed⁽¹⁾, and in particular the third subparagraph of Article 9(5) thereof,

Whereas:

- (1) In accordance with the first subparagraph of Article 8(2) of Regulation (EC) No 509/2006, and pursuant to Article 19(3) of the same Regulation, the application by Italy for registration of the name 'Pizza Napoletana' was published in the *Official Journal of the European Union*⁽²⁾.
- (2) Germany and Poland lodged statements of objection to the registration under Article 9(1) of Regulation (EC) No 509/2006. Those objections were deemed admissible under Article 9(3)(a) of that Regulation.
- (3) Germany's statement of objection concerned, inter alia, the fear that German wheat flour is put at a disadvantage, considering that only one type of wheat flour, available in one Member State, namely Italy, is authorised pursuant to the product specification.
- (4) Poland's statement of objection concerned, inter alia, the fact that the name is not specific in itself and the application for registration as published does not contain appropriate explanations.
- (5) By letters dated 17 September 2008, the Commission asked the Member States concerned to seek agreement among themselves in accordance with their internal procedures.
- (6) An agreement, notified to the Commission on 24 February 2009 and endorsed by it, was concluded between Italy and Germany within six months. Under that agreement, the restrictions associated with the use of certain wheat flour were lifted.
- (7) Given that no agreement was reached between Italy and Poland within the prescribed period, however, the Commission is required to take a decision in accordance with the procedure referred to in Article 18(2) of Regulation (EC) No 509/2006.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EU) No 97/2010, Introductory Text. (See end of Document for details)

- (8) In that context and as a result of Poland's objection, explanations to show that the name for which registration is sought is specific in itself were added to the product specification.
- (9) In the light of those considerations, the name 'Pizza Napoletana' must therefore be entered in the 'Register of traditional specialities guaranteed'. The protection referred to in Article 13(2) of Regulation (EC) No 509/2006 has not been requested.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Traditional Specialities Guaranteed,

HAS ADOPTED THIS REGULATION:

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- (1) OJ L 93, 31.3.2006, p. 1.
- (2) OJ C 40, 14.2.2008, p. 17.

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